

April 17, 2003: Sudan Peace Act: Administration Should Hold Sudanese Government Accountable

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WASHINGTON - The United States Commission on International Religious Freedom (USCIRF) has written Secretary of State Colin Powell urging the U.S. government to raise several concerns on the progress of peace negotiations in Sudan in its first report required by Congress. "The Administration report required by the Sudan Peace Act should frankly address the violations of the Sudanese government's ceasefire commitments and clearly state consequences for non-compliance that will result from any future violations," said USCIRF Chair Felice Gaer. The Commission urges the United States to: call for national institutions, such as the military and the judiciary, to serve the interests of all Sudanese; oppose the application of Sharia law to non-Muslims in Sudan; address Sudanese government ceasefire violations, including information on Sudanese government arms purchases and any increase in government troop levels in the south; ensure that the international team monitoring attacks against civilians receives adequate funding; and support the repatriation and reintegration of civilians displaced from the Nuba mountains and other areas. The text of the letter follows: Dear Secretary Powell: As the Administration prepares for its April 21st assessment for Congress under the Sudan Peace Act, the Commission wishes to raise several concerns in connection with this important initiative. To promote human rights and a just peace in Sudan, we wish to draw to your attention the following four issues: Sharia law, accountability of the Government of Sudan, additional funding for the Civilian Protection Monitoring Team, and concerns in the marginalized areas. Sharia Law. Sudan is a religiously pluralistic country with a majority comprised of Sunni Muslims but also a large segment of Christians and practitioners of traditional African beliefs. The National Islamic Front's imposition of Sharia law in Khartoum and throughout Sudan has been one of the major causes of Africa's longest running and most deadly conflict. Because religious freedom has been a major issue in Sudan's civil war, the Commission urges the United States to oppose the application of Sharia law to non-Muslims wherever they may reside in the country. Most important, since Sudan is to continue in the near future as a unified State, we urge that national institutions such as the military, law enforcement, the highest level of the judiciary, and others be secular institutions. The Commission furthermore urges that the capital of a reunited north and south Sudan - most likely Khartoum - be a place where people of all faiths can worship freely and where the laws are reflective and respectful of all religions and legal traditions in Sudan. A nation's capital belongs to all of its people. As the peace negotiators continue to tackle the difficult issues, it is imperative that the United States and the international community insist that the laws and practices of the capital of a reunited Sudan serve the interests of all of its people, not only those of one religious group. Accountability of the Government of Sudan. The Commission is also concerned that the Government of Sudan (GOS) has not been held accountable for significant violations of agreements it has made with the Sudan People's Liberation Movement (SPLM) as part of the ongoing peace negotiations. The Administration report required by the Sudan Peace Act should frankly address the violations of the GOS's ceasefire commitments and clearly state consequences for non-compliance that will result from any violations that might occur in the future. The February 2003 report by the Civilian Protection Monitoring Team (CPMT) clearly states that the GOS violated these agreements on numerous occasions by launching lethal attacks on civilian targets. While the United States publicly condemned these attacks, the Commission is concerned that the GOS has not been held accountable for these actions. We fear the GOS will conclude that it can violate its agreements with relative impunity while continuing to negotiate in peace talks. Indeed, reports from the CPMT indicate that the GOS may be using this period during the cease-fire to rearm and build-up garrison towns in the south from which it could launch devastating offensives should the peace talks end in failure. The April 21 report to Congress should include information on any increase in GOS troop levels in the south since the signing of the Machakos Accord and on GOS arms purchases during the same time-period. The Administration should demand a significant reduction of GOS forces and military equipment in southern Sudan. Likewise, the Administration should ensure that the SPLM does not take advantage of such a reduction should it occur. The Commission is extremely concerned by reports that the CPMT has not been allowed by the GOS to carry out its mandate over the last several weeks. We have received reports that the GOS has, without justification, grounded the CPMT plane since March 7. Additional funding for the CPMT. The U.S. government should ensure that adequate funding is supplied to the CPMT. Reports indicate that the CPMT is short of personnel, equipment, and technical expertise needed to fulfill its mission. For instance, we have learned that the CPMT has only one airplane with which it is to monitor the vast and frequently road-less territory of Sudan. The CPMT has conducted valuable work and could be instrumental in holding all parties to the conflict accountable for actions taken against civilians. The Administration and Congress should work together to ensure that the CPMT is robust and fully capable of accomplishing its mission throughout Sudan. The Marginalized Areas. The Commission also strongly recommends that the April report highlight how the legitimate concerns of the peoples of the areas such as the Nuba Mountains, Abyei, and Southern Blue Nile are being addressed in the context of the Intergovernmental Authority on Development talks. It should be U.S. policy to insist that the concerns of the peoples in these contested areas are fairly and comprehensively resolved. The United States should support the repatriation and reintegration of civilians displaced over the years from these areas as soon as possible. In light of continued human rights violations in Sudan, the Commission has a number of other recommendations that either should be included in the Department's upcoming April report or implemented as U.S. policy: The Department of State and USAID should quickly disperse funding for humanitarian programs that will be supportive of the peace

process and immediately release funding to build civil society and to promote economic development in southern Sudan. The United States should continue to keep in place existing sanctions on Sudan and refrain from upgrading diplomatic relations with the government in Khartoum. The U.S. government should prevail upon the GOS to provide needed humanitarian access to international relief organizations, and U.S. humanitarian assistance delivered outside the Operation Lifeline Sudan system should be increased. The United States should build upon the work of the International Eminent Persons Group (IEPG) to combat and end the terrible practice of abduction and enslavement by government-sponsored militias. For example, the U.S. government should implement an IEPG recommendation that the U.S. and concerned European governments "establish a permanent mechanism to monitor the effort of the Sudanese parties to address the issues of slavery, abduction and forced servitude." While our nation's and the world's attention are understandably focused on Iraq and the global war against terrorism, this Commission believes strongly that we must not lose sight of the goal of bringing justice and peace to the people of Sudan. To the Administration's great credit, you have made bringing peace to Sudan one of the highest U.S. priorities in Africa. Much has been accomplished since the designation in January 2001 of Senator John Danforth as the President's Special Envoy for Peace in Sudan. Much remains to be done. Thank you for your careful consideration of the Commission's views regarding U.S. policy toward Sudan. Respectfully, Felice D. Gaer, Chair

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